

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

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Defendant submitted his pro-se motion to obtain review for the “Statutory Changes” to 21 U.S.C. §§ 841(b)(1)(A) and 841(b)(1)(B) which are in fact retroactively applicable to the case at bar. The 105 grams establishes a base offense level under the Sentencing Guidelines at 24 which at Criminal History Category VI, Defendant's sentencing range is 100-125 months.

CONCLUSION

Defendant is currently serving a term of imprisonment that is no longer applicable due to the statutory changes under 21 U.S.C. §841(b)(1)(A) and §841(b)(1)(B) opposite the Sentencing Guidelines. Defendant has his family to support him to make a successful transition back into society and become a positive role model to his family and children.

Defendant prays that the Court reconsiders its decision denying his motion.

Respectfully submitted,

Tommy Delando Burns, Pro se

CERTIFICATE OF SERVICE

I certify that on October 26, 2021 I have effected service of the foregoing motion upon the following parties below:

Joseph H. Gay, Jr./Brandi Young AUSA's
U.S. Attorney's Office
400 West Illinois Street, Ste. 1200
Midland, TX 79701

Respectfully submitted,

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U.S. District Court
200 E. Wall St.
Midland, TX 79701